

MESSAGE NO: 9244115 MESSAGE DATE: 09/01/1999

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-412-805, A-570-844

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/01/1998 TO 01/31/1999

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NON-REVIEW AUTOMATIC LIQUIDATION INSTRUCTIONS FOR FEBRUARY 98/99

MESSAGE NO: 9244115

DATE: 09 01 1999

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 844

A - 412 - 805

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PERIOD COVERED: 02 01 1998 TO 01 31 1999

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: NON-REVIEW AUTOMATIC LIQUIDATION INSTRUCTIONS

FOR FEBRUARY 98/99

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING DUTY FINDINGS/ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 351.213(b) OF THE COMMERCE REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY FINDING/ORDER FOR THE PERIODS AND ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRMS NOTED. THEREFORE, IN

ACCORDANCE WITH SECTION 351.212(c) OF THE COMMERCE
DEPARTMENT REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING
DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM
WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING
RATE IN EFFECT ON THE DATE OF ENTRY SUMMARY.

MELAMINE INSTITUTIONAL DINNERWARE FROM
THE PEOPLE'S REPUBLIC OF CHINA PERIOD
A-570-844

LIQUIDATE ALL ENTRIES FOR ALL FIRMS 02/01/1998-01/31/1999

SODIUM THIOSULFATE FROM THE
UNITED KINGDOM PERIOD
A-412-805

LIQUIDATE ALL ENTRIES FOR ALL FIRMS 02/01/1998-01/31/1999

3. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF
SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE
AND PERIODS LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT
CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT
ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.
4. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE
ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS
OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778
REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS AND
ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS
DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST
PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS
ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION
OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED
FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES
THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH
INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621
OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD
REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT

DESCRIBED IN SECTION 351.402 OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT THE ANALYST IN CHARGE OF THE CASE ON (202) 482-4737, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.
8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party